

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

LIBERTARIAN PARTY OF TENNESSEE,	)	
ANTHONY WALL, GREEN PARTY OF	)	
TENNESSEE, KATHLEEN A. CULVER,	)	
CONSTITUTION PARTY OF TENNESSEE,	)	
and JOAN CASTLE,	)	
	)	
....Plaintiffs,	)	Case No. 3: 08-0063
	)	Judge Haynes
v.	)	
	)	
BROOK THOMPSON, Coordinator of	)	
Elections for the State of Tennessee; and	)	
TRE HARGETT, Secretary of State	)	
for the State of Tennessee,	)	
....Defendants.	)	

**PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

Plaintiffs, by their Counsel, move the Court, pursuant to Rule 56(A) of the Federal Rules of Civil Procedure, for an Order directing entry of summary judgment in favor of Plaintiffs and against Defendants, Brook Thompson, Coordinator of Elections for the State of Tennessee, and Tre Hargett, Secretary of State for the State of Tennessee, on the cause of action and for the relief sought in Plaintiffs' Complaint.

This motion is made on the grounds that no genuine triable issue of material fact exists, and that Plaintiffs are entitled to judgment as a matter of law. This motion is based on the Affidavit of Richard Winger, attached hereto as Exhibit "1", and on the files and pleadings in this proceeding.

Respectfully submitted this 15th day of January, 2010.

/s/ James C. Linger  
JAMES C. LINGER, OBA#5441  
1710 South Boston Avenue  
Tulsa, OK 74119-4810  
(918) 585-2797  
(918) 583-8283 Facsimile  
[bostonbarristers@tulsacoxmail.com](mailto:bostonbarristers@tulsacoxmail.com)

/s/ Darrell L. Castle  
DARRELL L. CASTLE, OBA#6863  
Darrell L. Castle & Associates  
3100 Walnut Grove, Suite 610  
Memphis, TN 38111  
(901) 327-2100  
(901) 458-9443 Facsimile  
[dlc2586@aol.com](mailto:dlc2586@aol.com)

*Counsel for Plaintiffs*

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of January, 2010, a true and correct copy of the  
above and foregoing motion was served upon:

JANET KLEINFELTER,  
Senior Counsel  
Office of Tennessee Attorney General  
P.O. Box 20207  
Nashville, TN 37202-0207  
[janet.kleinfelter@state.tn.us](mailto:janet.kleinfelter@state.tn.us)

*Counsel for Defendants*

/s/ James C. Linger  
James C. Linger, OBA No. 5441  
1710 South Boston Avenue  
Tulsa, OK 74119-4810  
(918) 585-2797  
(918) 583-8283 Facsimile  
[bostonbarristers@tulsacoxmail.com](mailto:bostonbarristers@tulsacoxmail.com)

Darrell L. Castle, TNB No. 6863  
Darrell L. Castle & Associates  
3100 Walnut Grove, Suite 610  
Memphis, TN 38111  
(901) 327-2100  
(901) 458-9443 Facsimile  
[dlc2586@aol.com](mailto:dlc2586@aol.com)  
*Counsel for Plaintiffs*